



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,369	01/16/2002	Chiharu Hirono		7555

7590

03/10/2004

Jay H. Maioli  
Cooper & Dunham  
1185 Avenue of the Americas  
New York, NY 10036

EXAMINER
----------

HARRISON, CHANTE E

ART UNIT	PAPER NUMBER
----------	--------------

2672

3

DATE MAILED: 03/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/050,369

Applicant(s)

HIRONO, CHIHARU

Examiner

Chante Harrison

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

### A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 23-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 23-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Priority***

1. This application filed under former 37 CFR 1.60 lacks the necessary reference to the prior application. A statement reading "This is a division of Application No. 09/236,886, filed 1/26/99." should be entered following the title of the invention or as the first sentence of the specification. Also, the current status of all nonprovisional parent applications referenced should be included.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 23-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Dunworth et al., U.S. Patent 5,930,474, 7/1999.

As per independent claim 23, Dunworth discloses geographical information acquisition means accepting an identification information, generating geographical display information for displaying information corresponding to a geographical location, and sending said generated geographical display information to said information

Art Unit: 2672

displaying apparatus, said geographical location being preset in correspondence with said identification information (col. 18, ll. 60-67), and advertisement information acquisition means generating advertisement display information for displaying advertisement information to be displayed with said geographical display information in corresponding to said identification information (Fig. 2B, 5; Fig. 14 "1430"), wherein, said server apparatus comprises displaying commanding means setting identification information corresponding to said page information (col. 2, ll. 45-58), and said information displaying apparatus comprises server access means accessing said page information managed by said server apparatus (col. 2-3, ll. 50-8), selection means selecting the identification information set in correspondence with said displaying commanding means of said page information file (col. 1, ll. 45-65; col. 2, ll. 54-63), and display means performing image display process in accordance with said geographical display information and said advertisement display information sent from said geographical information acquisition means and from said advertisement information acquisition means in correspondence with said selected identification information, respectively (col. 2, ll. 54-63; col. 4, ll. 25-40).

As per dependent claim 24, Dunworth discloses in said display means of said information displaying apparatus, a geographical image is displayed in accordance with said geographical display information sent from said geographical information acquisition means (Fig. 5), image indicating advertisement corresponding to said geographical display information sent from said advertisement information acquisition

Art Unit: 2672

means is displayed on a same display screen with said geographical image (Fig. 14 "1430"), and a location corresponding to at least one of said displayed advertisement is not indicated on said geographical image (col. 20, ll. 45-65; col. 21, ll. 43-57).

As per dependent claim 25, Dunworth discloses said geographical information acquisition means comprises first data storing means storing drawing information for drawing said geographical image (col. 13, ll. 17-19), second data storing means storing a geographical location corresponding to said identification information set by said displaying commanding means and a first attribute information, said geographical location and said first attribute information being stored in correlation with said identification information (col. 18, ll. 39-54), map search means searching said second data storing means using said identification information to obtain a geographical location corresponding to said identification information, searching said first data storing means using said obtained geographical location to obtain a drawing information corresponding to said geographical location as said geographical display information (Fig. 5), and said advertisement information acquisition means comprises third data storing means storing said advertisement display information and second attribute information indicating attribute of said advertisement, and advertisement search means searching said second storing means using said identification information to obtain said first attribute information corresponding to said unique identification information, determining said second attribute information corresponding to at least one of said first attribute information obtained and said obtained geographical location, and searching

Art Unit: 2672

said third data storing means using second attribute information obtained to obtain said advertisement display information corresponding to said Second attribute information obtained (Fig. 14 "1430").

As per dependent claim 26, Dunworth discloses said first and second attribute information include no information relating to a geographical location (Fig. 2B; col. 2, ll. 43-57).

***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chante Harrison whose telephone number is 703-305-3937. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on 703-305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chante Harrison  
Examiner  
Art Unit 2672

February 27, 2004

  
MICHAEL RAZAVI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600